

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

TIMOTHY JONES,
Plaintiff,

v.

JOHNNY MILLER, *et al*,
Defendants.

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CIVIL ACTION NO. 10-00495-KD-M

ORDER

This matter came before the Court on this date for a telephone conference with counsel of record regarding Plaintiff Timothy Jones' Motion for Authorization of Expenses under Local Rule 67.4. (Doc. 86).

The parties agree that this case should be bifurcated, with liability to be determined before the issue of damages and discovery relating to same is addressed. As such, in the event that liability is determined against the Defendant at the conclusion of the September 5-6, 2012 jury trial, discovery will be reopened for a period of 60 days and the case will also be scheduled for a separate jury or bench trial (to be determined) on the damages issue. Accordingly, upon consideration, it is **ORDERED** that Plaintiff's Motion for Authorization of Rule 67.4 Expenses (Doc. 86) is **DENIED** at this time with leave to refile once the issue of liability is determined.

DONE and ORDERED this the **21st** day of **June 2012**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE